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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER DISASTER SITE LITIGATION

21 MC 100 (AKH)

JOHN WALCOTT & KATHLEEN WALCOTT.

Plaintiff(s),

STIPULATION OF **VOLUNTARY DISMISSAL** 

-Against-

CITY OF NEW YORK, et al.

Civil Action No.: 04cv04178

Defendant(s),

IT IS HEREBY STIPULATED AND AGREED, by and between the parties that, pursuant to the Federal Rule of Civil Procedure 41(a)(1)(A)(ii):

- 1. The above-captioned Plaintiffs' action are voluntarily dismissed with prejudice pursuant to the following terms and conditions:
- 2. All claims by the above-captioned Plaintiffs against all Defendant(s) or against any Defendant arising out of or relating in any way to World Trade Center-related rescue, recovery, and/or

debris-removal operations and/or clean up at any location on and/or after September 11, 2001, are

- 3. All claims that were asserted or could have been brought in relation to Plaintiffs' existing pleadings are dismissed with prejudice.
- The dismissal is without costs.

PATTON BOGGS LLP

James E. Tymell, Jr. (JT-467b) One Riverfront Plaza, 6th Floor Newark, New Jersey 07102

(973) 848-5600 Attorney for WIC Captive Insureds

Dated: December 17, 2011

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Christopher R. LoPalo (CL 6466) 350 Fifth Avenue, Suite 7413 New York, New York 10118 (212) 267-3700

Attorney for Plaintiff

Dated: December 19, 2011

So orleved, as amended.

12-20-11

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